

CO-OPERATIVE SOCIETIES REGULATION AMENDMENT BILL 137

Co-operative Societies Regulation Amendment Bill.

Mr. K. Achyuta Menon.—Sir, I rise to move that the Cochin Co-operative Societies Regulation Amendment Bill be read in Council.

Mr. C. J. Mathew.—I second it.

Mr. K. Achyuta Menon.—The bill has got a rather lengthy preamble and I do not think it is necessary to go more into the matter. The necessity for the bill is compendiously stated in the preamble itself. The existing law was passed as early as 1888. It is found absolutely necessary to amend the existing law and bring it into line with legislation elsewhere, incorporating all the improvements that have come into the movement from time to time. Difficulties have also been felt in the practical working of the existing law. The several points for consideration brought to the notice of the Government by the Co-operative Conference, the Central Co-operative Institute and non-official gentlemen have all been considered and embodied in the Bill.

Mr. K. T. Mathew.—I have to bring to the attention of the Council that most of the Government bills come up on us as a surprise. I got a copy of this bill only last Saturday, *i. e.*, day before yesterday. There are certain rules and regulation with respect to introducing bills and these are equally binding on the officials as the non-officials. I do not know how it is possible for the non-officials to study such an important bill which affects a vast body of the population of the State within so short a time. There has not been sufficient time for us to study the bill, in all its aspects. I appeal to the Chair not to allow the bills which the Government bring without giving required notice to be moved in the Council.

Deputy President.—It is in the power of the Council, if you are against introducing it, to oppose it.

Mr. K. T. Mathew.—The President has got certain discretionary powers. It is by making use of this power that this bill is now permitted to be introduced in this meeting. It is only under exceptional circumstances that the President should exercise such powers. When the President finds that Government have not given sufficient time for the Members to study the bill he should say 'I cannot allow it'.

Rama Varmha Tampuran.—I think we are quite within the law.

Mr. K. T. Mathew.—If the Government were now to say that they are proceeding with the bill, where is the time to give amendments?

Deputy President.—The subject is before the House. If you do not want to give permission you may veto it now. The

permanent Diwan gave sanction and the Bill is introduced. Now I ask whether you allow the introduction of the Bill. If you are against it you may veto it.

Mr. Joseph Pettah.—Sir, I am constrained to oppose the introduction of this bill in this session of the Council. I am quite in agreement with the Government that a bill of this nature is desirable for the better working of the co-operative movement in the State. My only contention is that it is not desirable to introduce the bill in this session of the Council and that for two reasons. Already, among the resolutions tabled, there is one recommending an enquiry into the working of the co-operative movement in the State and that resolution, I presume, has been tabled with the intention of collecting some definite data as regards the working of the movement here.

My first reason for opposing is this. The justification and necessity for a new legislation are that the old legislation is found inadequate to cope with the new developments and that modifications are found to be necessary. In the light of the experience gained it has been found desirable to make certain modifications in the law so as to allow greater freedom for the working of the movement in the State. The preamble itself shows that difficulties have been found in the practical working of the existing law and then it goes on further to say that these difficulties have been brought to the notice of the Government by Co-operative Societies, Conferences and non-official gentlemen. Would it not be more in the fitness of things to have a committee officially appointed to enquire into the working of this movement in the State, so that we might have further legislation in the light of experience actually gained?

Now, I have made a somewhat careful perusal of the entire bill and that again has convinced me of the necessity of preceding any legislation in this matter by an enquiry into the working of the movement in this State, for I find the amending bill has not taken into consideration some of the outstanding problems requiring solution in the co-operative field. For instance, I may say recently there has been a great controversy in South India, in the British Provinces and to some extent here also about the desirability of having either single purpose or multiple purpose societies. I remember a case when even in Ernakulam itself the registration of a society was refused on account of the fact that it enjoined or it included too many things as objects and purposes of the society. In other words, the Government took up the position that only single purpose society, or societies with a single purpose, would be registered, and that societies with a multiple purpose would not be registered. Now it is known to

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all students of co-operation that in Germany they are advocating multiple purpose societies whereas in towns of Holland single purpose societies are advocated and there are certain expert authorities like Henry Wolfe and others who would say that the conditions in India are more akin to Germany and so multiple purpose societies would be more suited. I give that instance to show that it is an outstanding problem which requires a solution. But the new bill has not taken into consideration that problem and has not made any provision for the solution of that problem.

Again, we find there is a feeling among the people that this co-operative movement is leading to growing indebtedness instead of reducing indebtedness. I do not say that it is a fact. But it must be enquired into. I have got a suspicion that in very many cases it is true.

Now, has the amending bill taken into consideration all these facts? Has it made any provision for the solution of this very important problem in the field of co-operation?

Another is the question of non-official co-operation in the field of co-operation. In so many of the annual reports of the Co-operative Department there has been the persistent complaint that the educated non-officials of Cochin have not been co-operating with the Department as much as it is desirable. I myself had on one occasion the opportunity of putting a question in the Finance Committee and asking the Government whether the blame goes to the non-official educated men of Cochin, or whether the educated non-official men of Cochin could be regarded as completely indifferent to the advantages of the co-operative movement or whether it was due to any defect in the working of the movement. This again is a very important aspect of co-operative movement in any place, *i. e.*, the enlisting of non-official co-operation in the matter of the working of the movement.

These are a few of the many examples which might be pointed out to show that the amending bill has to take into consideration a few of the outstanding problems in the field of co-operation. The amending bill could have taken into consideration all these facts had it been preceded by an enquiry into the actual working of the co-operative movement here, and that is the practice obtained everywhere. Before they introduce further legislation they conduct an enquiry and it is only reasonable that an enquiry should be conducted so that we may have experience in the light of which we may draft a new bill. This bill, as one Member said, has sprung upon us by surprise. The bill was published on the 24th and it has to be introduced on the 27th.

I think I have got a copy of the Gazette here. Now the Government may shelter themselves under this plea, that they have not broken the letter of any law and that there is no law compelling them to publish the bill, say, a certain number of days previous to the introduction of the bill. I would point out to this Council that it is not asking leave to introduce the bill but it is the very introduction of the bill itself and that implies a discussion of the main principles of the bill. I put it to you, Sir, and the Hon'ble Members of this House, how much is it possible to have an intelligent discussion of the main principles of this bill which is published on the 25th and introduced on the 27th.

Rama Varmha Tampuran.—Copies were sent earlier.

Mr. Joseph Pettah.—Some Members have got the copies yesterday. Now, if non-officials have to introduce a bill they have to publish it one month before the date of asking for leave to introduce and again there are a number of days given. If it is necessary on the part of the non-officials to give a month's notice to the Government for the purpose of requesting leave to introduce a bill, is it not at least in fairness that this principle should be applied to officials also, though not in its entirety, at least to a reasonable extent? Let them give at least 15 days' time to the non-officials to consider the principles of the bill. Is it not highly unreasonable to take this position, that the main principles of this all-important bill could be discussed in this Council when it was published only a few days ago?

Then again, it is not a bill which is very urgently required. It can afford to wait for a few days. There is no urgent necessity that the bill should be rushed through in this very Session.

Considering all these aspects of the question, considering that it has not been preceded by an enquiry and that it has left out of consideration many of the outstanding problems of co-operative importance to this State and considering also that sufficient notice has not been given to the non-officials for a full discussion of this bill and considering also that it is not a very urgent measure that has to be rushed through the Council, I beg to oppose the introduction of this bill in this Session of the Council.

Mr. C. A. Ouseph.—Sir, I am constrained to oppose the introduction of the bill. The condition of the co-operative movement in Cochin has caught the attention of this Council from very earliest days of its life. Even in the very first Council a resolution was moved that the Government should appoint an expert—and I believe that Mr. (now Sir) G. K. Devadar's name was mentioned—to study the condition of the movement in the

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Cochin State. Those who have had something to do with the co-operative movement in the State know—and in my own humble way I had to play some part in it—that there is something very rotten in the State of Denmark and that the movement as it stands to-day is not the movement which was dimly foreseen by the founders of the movement. The co-operative movement in Cochin instead of being a blessing is becoming a curse. Sir, it is this that forced several Members of this House to table motions to appoint either a committee or an expert to study the present conditions of the movement and the progress that it has made in the State during the last 20 years. The Government have done nothing. Even in this Session resolution No. 9 from the Hon'ble Member for Kunnankulam recommends that Sir G. K. Devadar of the Servants of India Society may be invited to go into the condition of the movement in the State. Without doing any spade-work like that, Sir, to pass a bill like this will, to say the least, not at all be fruitful. We, it is said, can appoint a select committee. We know the limitations of a select committee. To invite an expert to study the progress and the present condition of the movement is one thing. To introduce a bill and to place it before a select committee is quite a different thing. Hastily, with the time that I got, I went through the provisions of the bill and I may say that what was once regarded as a movement of the people is now made subservient to the will of one man. Such is the prospective regulation. Sir, before passing that regulation we must think not only twice but many times over. We must have some facts, some data, before us upon which we can proceed. None of us are experts. Perhaps we have only one expert in the State, Mr. Gayatrinatha Ayyar, who has been nominated an Hon'ble Member of this Council for the purpose of this bill. Even his expertness is attacked by some co-operators in the State. Then, Sir, by whom are we to be guided? The Government could very well have appointed a committee to study the real condition of the movement in Cochin. Considerations of finance should not be allowed to stand in the way. The Government is spending money in several directions. Why not spend some money in this direction, on a movement which affects the well-being of the people so closely? To bring this bill with all sorts of modifications in the old provisions, with all sorts of changes and with all sorts of new provisions and place it all on a sudden before a House which cannot claim any expertness in this matter, I have to submit, Sir, is, to say the least, reckless rushing. The Government will be well advised to get some real report on the conquests the movement has made in the State the pitfalls into which it

has fallen during the last 20 years and then to think about legislation to remedy the evils. Do we know what are the evils which affected the movement during last 20 years? There is one expert whose opinion and whose word is final. It is better, in the interests of the movement, in the interests of the people, that some time is given before the bill is introduced.

Mr. A. Sankara Menon.—Sir, I agree with the previous speakers and I move a formal motion under S. O. 26 that this matter be adjourned for the next Legislative Session.

Mr. P. Krishna Menon.—I second it.

Dr. A. R. Menon.—Sir, can anybody oppose that? I rise to oppose the adjournment motion. We were in the course of a debate and when I got up, out of respect to the seniority of an Hon'ble friend I sat down thinking that I can participate in the debate. I did not think he was very anxious to move an adjournment.

Deputy President.—Here there is a habit among the Members to get up and make a speech as often as they wish. Hereafter when I am presiding they must get the permission of the Chair before they speak or the Chair will call the name.

Dr. A. R. Menon.—It is all very nice to say that the Chair will direct as to who shall speak and who shall not. That has never been the custom here. But if that is the rule I may just point out that that has not been the custom.

Mr. A. Sankara Menon.—I wish to offer a word of explanation. I thought that the proper way was to move a motion under Standing Order 26 and not to move that the principal motion should be negatived on the ground that it should not be introduced at this meeting. The proper way is to move a motion under S. O. 26 and I thought after consulting some of the Hon'ble Members of this House that they were generally of opinion that it must go to the next Legislative Session, because none of the Members had sufficient time to study the provisions of the bill. That is the only reason why I made this formal motion. I did not know that any Hon'ble Member on this side was going to oppose this motion.

Dr. A. R. Menon.—On a point of information, may I know Sir, whether any Member is allowed to oppose it?

Deputy President.—Yes. You can. But you must confine your remarks to the adjournment before the House.

Dr. A. R. Menon.—Sir, I oppose the adjournment of the introduction of this bill. Let it be clearly understood that it is only the introduction of the bill and it is quite possible that we should be going before a Committee to consider, in detail, the various provisions of the bill and, as I understand, it is more or

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less a copy of the bill prevalent in British India. Mr. Devadar of the Servants of India Society and other great co-operators might have been consulted before a bill of this nature was passed into law in British India. And it is not sure that Mr. Devadar would be in a position to comment it. I am not prepared to say that in such questions we are incapable of understanding by reading it. This is not a special thing kept as a secret by every economist or by Professor Devadar. Professor Devadar has studied the question and understood it. I am not prepared to admit that a question which is generally understood by a large number of people cannot be understood by this Council. Further it is the privilege of this Council to consider every bill that we are going to discuss by a committee appointed by this House. What is the use of this Council at all? I am not going to make the impression that we are absolutely ignorant of all these questions except the profession which we follow. I am not prepared to admit that. The only reasonable objection made by the Hon'ble Member for Adoor is that there has not been much time to study the general principles of the bill and I meet this by the observation that it is only a copy of the bill obtained in British India and in many respects we are following the British Indian Legislature and British Indian Laws. I fail to see what further additional information we could get by waiting for two more months. As my friend said I also know the rottenness of the Department. The only difference is that personalities play a prominent part apart from principle. There are persons behind the scene and the fight is going on between these.

Deputy President.—You are speaking on the bill?

Dr. A. R. Meron.—Sir, I am giving reasons for opposing the motion for adjournment. It should not be postponed. Hence if this bill is not introduced now it may not be possible to come to a definite conclusion and finish this bill before the end of this Legislative Council and it is high time, as my Hon'ble friend has said, that some measures are taken to improve the deplorable condition now existing in the department. There is no doubt about that. Every principle of Wolfe quoted here has been violated.

Mr. A. Sankara Menon.—I did not put it on that ground. We had not sufficient time to study the bill. It is because of that that I asked for an adjournment.

Dr. A. R. Meron.—I am dealing with the general subject. It is a said fact that all those principles enunciated by Wolfe himself, the founder of this movement and the foremost exponent of this movement, have been violated by officials as well as non-officials connected with this movement. I made a public

declaration to this effect some time ago and nobody challenged me. Is it not the duty of this Council to take into consideration a bill which aims at putting to an end to these abuses that have crept into this department? Therefore, it is high time that the bill should be allowed to be introduced in this council. This bill will go before a committee and the Hon'ble Members can move any number of amendments. For reasons stated, I am of opinion that the bill should be allowed to be introduced. I therefore oppose the adjournment.

Mr. R. A. Gayatrinatha Ayyar.—Sir, I wish to speak a few words on the necessity of introducing the bill to day itself. I have had 25 years' experience. When I came here we were closely following the British Indian Act 11 of 1912. I admit there is some force in the statement of the Hon'ble Member for Antikkad who has some experience in the co-operative line, when he says that there is something rotten in the land of Denmark; but if you would realise for whom the co-operative movement is meant, who should work it and by whom it should be worked, everybody will realise that the law should be amended as early as possible. Now many co-operative societies have been formed. Some are good and some are bad and some indifferent. The difficulty is, the department is considered neither solely as a Government department by the people nor a people's department by Government. If it had been recognised as a Government movement, as every other department is, there would have been no difficulty. With regard to the people amongst whom the co-operative movement has been working, there are two sets of people.

Deputy President.—You are going on discussing the bill. It is the adjournment under S. O. 26 that is before the House.

Dr. A. R. Menon.—Sir, we are trying to convince the House the immediate necessity, the urgent necessity, why it should be introduced at once.

Mr. K. Ayyappan.—He must give his grounds for opposing the motion.

Deputy President.—Order, order. Let him go on with his speech.

Mr. R. A. Gayatrinatha Ayyar.—Amongst the societies there are two sets of people, the knowing rogues and the innocent members.

Deputy President.—I am still in doubt whether an adjournment motion under S. O. 26 can be opposed. What does the Hon'ble Law Member say on the point?

Mr. K. Achyuta Menon.—I do not think there is any justification for saying that an adjournment cannot be opposed,

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The S. O. referred to does not stand in the way of a discussion being carried on the adjournment.

Dr. A. R. Menon.—And in my opinion rightly too. The House must know which way they should vote, for Mr. A. Sankara Menon or against him. We are going to convince the House by reasons. If the discussion exceeds the limits of a fair debate on this matter the President can always intervene.

Deputy President.—How can I intervene? He will say that that is one of his points for the urgency of the measure. Then the whole bill will have to be discussed.

Mr. P. S. Kesavan Nambudiri.—Sir, is he not entitled to give reasons for not adjourning the bill?

Mr. C. A. Ouseph.—Sir, suppose it is a closure motion, can a discussion go on?

Deputy President.—No, certainly not. A closure motion cannot be discussed. There it is definitely laid down under S. O. No. 25 that a closure motion must be decided without amendment or debate. Anyhow I have allowed the discussion to go on. He must confine his remarks to the adjournment motion.

Mr. R. A. Gayatrinatha Ayyar.—I am trying to convince the House the urgency of amending the bill.

Mr. K. T. Mathew.—Sir, may I bring to your attention Standing Order No. 16. Standing Order No. 26 reads thus:—

“A motion that any sitting or business be adjourned or postponed or that the Council pass to the business next in order in the statement of business may be moved at any time and without previous notice as a distinct question but not so as to interrupt speech. If the motion is carried the sitting or business shall be adjourned or postponed accordingly.”

Deputy President.—Now, please read S. O. No. 25.

Mr. K. T. Mathew.—“At any time after a motion has been made a Member may move that the question be now put and unless it shall appear to the President that such motion is an abuse of the rules of the Council, or an infringement of the rights of reasonable debate, the question ‘that the question be now put’ shall be put forthwith and decided without amendment or debate”.

Deputy President.—Now you see that in S. O. 25 it is definitely laid down that a closure motion cannot be discussed but no definite rules are forthcoming in respect of an adjournment motion under S. O. 26. He will go on with his speech and finish it in 5 minutes.

Mr. R. A. Gayatrinatha Ayyar.—The movement is intended for the benefit of the poor people and they must not be exploited upon by the cunning people who know the defects of the existing law. Therefore, I say that something should be done immediately. Under the rule-making powers of the

Government they have made certain rules from time to time and it has the force of law. These rules are now embodied in the bill and it is a mere copy of the new Madras Act. Whether official or non-official, we all work for the welfare of the people and if Hon'ble Members will co-operate with the official department and form a committee we can remove the defective laws now in force and make the department work still more satisfactorily; or otherwise the structure that has already been built up will fall down.

മിസ്റ്റർ കെ. അയ്യപ്പൻ.—ഇപ്പോൾ ഗവണ്മെൻറ് മെമ്പർ പറഞ്ഞ കാരണങ്ങൾകൊണ്ടുതന്നെ ഞാൻ ഈ അപ്പോഷൻമെൻറ് മോഷനെ പിന്തിക്കുന്നു. ഇപ്പോൾ ഇരിക്കുന്ന നിയമങ്ങൾകൊണ്ട് ഡിപ്പാർട്ട്മെൻറ് നടത്താൻ പ്രയാസമായിരിക്കുന്നു എന്ന് ഗവണ്മെൻറ് പറയുന്നു. വളരെക്കാലമായി നടപ്പിലാക്കുന്ന നിയമം ഡിപ്പാർട്ട്മെൻറ് നടത്തുവാൻകൊള്ളുകയില്ലെന്നു പെട്ടെന്നു തോന്നി പെട്ടെന്നു മറ്റു നിയമമുണ്ടാക്കാൻ ഗവണ്മെൻറ് ശ്രമിക്കുന്നതു ന്യായമല്ല. പുതിയ നിയമത്തെ വേണ്ടതുപോലെ പരിശോധിക്കാൻ നിയമസഭയ്ക്കു സമയം കിട്ടണം. അതുകൊണ്ടാണ് ഞങ്ങൾ ആവശ്യപ്പെടുന്നത്. അതിന് ഗവണ്മെൻറിനു സമ്മതിപ്പെങ്കിൽ ഗവണ്മെൻറിനു നിയമം പെട്ടെന്നു പാസാക്കിക്കിട്ടേണ്ട എന്തോ ഭരണഭാരം ഉണ്ടെന്ന് ജനങ്ങൾ സംശയിക്കും. അങ്ങനെ സംശയത്തിന് ഇടകൊടുക്കുന്നതു എന്തിന്?

മിസ്റ്റർ. പി. കുമാരനെഴുത്തശ്ശൻ.—ബഹുമാനപ്പെട്ട എറണാകുളം മെമ്പർ ഇവിടെ കൊണ്ടുവന്ന ഈ motion നെ എതിർക്കേണ്ടി വന്നതിൽ ഞാൻ വ്യസനിക്കുന്നു. ഈ സംഗതിയെക്കുറിച്ചുള്ള ആലോചന നീട്ടിവെയ്ക്കണം എന്നു മെമ്പർക്ക് ഉദ്ദേശമുള്ളതായിട്ടു ഞാൻ വിചാരിക്കുന്നില്ല. ഒരു സംഗതി തീർച്ചയായും എല്ലാവരും സമ്മതിക്കുന്നതാണ്. ഈ Co-operative Department-ൽ പല അഴിമതികളും നടക്കുന്നുണ്ടെന്നും, അതുകൊണ്ട് ആ ഡിപ്പാർട്ട്മെണ്ടു നന്നാക്കണമെന്നും എല്ലാവർക്കും അഭിപ്രായമുണ്ട്.

മിസ്റ്റർ. സി. എ. ഔസേപ്പ്.—അതെന്തൊക്കെയാണ്?

മിസ്റ്റർ. പി. കുമാരനെഴുത്തശ്ശൻ.—ഒരുപാടുണ്ടെന്ന് എല്ലാവരും സമ്മതിക്കുന്നു. എത് amendment bill വരുമ്പോഴും അതു publish ചെയ്യാൻ വൈകി, വായിക്കാൻ സമയം കിട്ടിയില്ല; എന്നുള്ള കാരണങ്ങൾ പറഞ്ഞാണ് നീട്ടുവാൻ ആവശ്യപ്പെടുന്നത്.

മിസ്റ്റർ കെ. അയ്യപ്പൻ.—മെമ്പർ വായിച്ചിട്ടുണ്ടോ ഈ ബിൽ?

മിസ്റ്റർ. പി. കുമാരനെഴുത്തശ്ശൻ.—ഈ ചോദ്യത്തിന് ഉത്തരം പറയാൻ ആവശ്യം കാണുന്നില്ല. എന്തിങ്കു വരുന്ന ബില്ലുകൾ ഞാൻ അതതുസമയത്തു വായിച്ചുതീർക്കുന്നവനാണെന്നു മെമ്പർമാർ

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സ്വീകരിക്കണം. ഇതിൽ മറ്റുള്ളവരെ കുറവുപറയേണ്ട ആവശ്യമൊന്നുമില്ല. ബഹുമാനപ്പെട്ട തെക്കെ ഇഴുവ മെമ്പർപ്പോലെയോ ജോലികളുള്ളവർ പല ബുദ്ധിമുട്ടുമുണ്ടാകും. എന്നാൽ കൗൺസിൽ വക കടലാസുകൾക്കിടയിൽ ഇതുകൂടി നോക്കണം. ഈ Session-ൽ ഇത് എടുക്കാതെ നീട്ടിയാൽ അടുത്ത വരുന്നത് കർക്കശം Budget session ആണെന്ന് ഓർമ്മിക്കണം. അതിൽ ആർക്കും ഒന്നും ചെയ്യാൻ സാധിക്കുന്നതുമല്ല. ഇത് select committee ക്ക് കൊടുക്കണമെന്നു പറയുന്നു. ഇത് ഈ session-ൽ തന്നെ എടുത്തില്ലെങ്കിൽ പാന്നെ 1109 വ്യക്തികളിൽ ഇത് ഒരു select committee യെ ഏല്പിച്ച് 1109 മീനത്തിൽ ഈ council ന്റെ കാലാവധി അവസാനിക്കുന്നതിനു മുമ്പായി ഇത്രയും പ്രധാനവും അത്യാവശ്യവുമായ ഒരു ബിൽ പാസാക്കുവാൻ നിശ്ചയമായും സാധിക്കുന്നതല്ല. ഇപ്പോൾ ഇതു നീട്ടണമെന്നു പറയുന്നതിന്റെ ഉദ്ദേശം ഈ Department-ലെ അഴിമതികൾ ഇനിയും നീണ്ടു നില്ക്കട്ടെ എന്നുയരികൊണ്ട്.

മിസ്റ്റർ കെ. ടി. മാത്യു.—ഈ അഴിമതികൾ തുടങ്ങിയത് എന്നു മനസ്സിലാക്കുന്നു?

മിസ്റ്റർ. പി. കോരനെഴുത്തശ്ശൻ.—ഈ Department തുടങ്ങിയ കാലം മുതൽക്കുതന്നെ ഉണ്ടെന്നുവെക്കുക. അതു തടയുവാൻ ഇതേവരെ ശ്രമിച്ചില്ലെങ്കിൽ അതു വലിയ തെറ്റുതന്നെയാണ്. അതുകൊണ്ട് ഇവിടെ കൊണ്ടുവന്നിട്ടുള്ള adjournment motion-നെ സ്വീകരിക്കാതെ വെച്ച് ഇങ്ങനെയൊരു ഭേദഗതിയിൽ ഈ Council-ൽ വച്ചുതന്നെ വേണ്ടതു ചെയ്യാൻ സാധിക്കുമാറാക്കി കൊടുക്കുന്നത് നമ്മുടെ ചുമതലയാകുന്നു. അതിനാൽ ഇത് ഉടനെ select committee യെ ഏല്പിക്കണമെന്നാണെന്റെ അഭിപ്രായം. അതിനാൽ ബഹുമാനപ്പെട്ട എറണാകുളം മെമ്പറുടെ motion-നെ ഞാൻ ബലമായി എതിർക്കുന്നു.

Mr. P. S. Kesavan Nambudiri.—Sir, I also support the motion for adjournment. The Hon'ble Member for Cheruthuruthi just now remarked that the provisions of this Bill are parallel to the provisions of the Act in British India and he also says that in British India Mr. Devadar would have been consulted in enacting the measure.

Dr. A. R. Menon.—Mr. Devadar and men like him.

Mr. P. S. Kesavan Nambudiri.—What I submit is we should not build our Statutes upon so many possibilities. Therefore first of all let us compare the law of British India and let us consult some other experts also. Suppose this Bill is introduced in the Vrischigam session only. Even then I do not think we will be wanting in time. The Income-tax Bill was passed through

the Council within a very short time. Therefore, even if it is introduced only in the next legislative session, we have got some 4 or 5 months before us. If possible it can be introduced in the budget session itself. Otherwise let it go to the next legislative session. And even then I think there will be no hurry in rushing through this Bill. Therefore, I support the adjournment motion.

Mr. K. Achyuta Menon.—With the utmost respect to the Members who have spoken in support of the adjournment, I have to observe that it is very difficult to understand their standpoint. There are such things as co-operative institutions in this State. They have been found to a certain extent to be defective in practical working. This fact is not denied. That the Bill is an amending Bill which is meant to remedy some of the defects so ably pointed out by the Hon'ble Member for Adur, is not contested and is indeed incontestible. This is an attempt to bring this Bill into line with the legislation of other countries which have progressed, in the matter of co-operation. Now what exactly is the argument on the other side? The existing legislation is unable to keep pace with the advanced community. This is unquestioned. The Government as well as the Members are agreed that the existing Bill has to be amended.

Mr. George Chakyamuri.—Does the Government admit that there are defects in the working of the department?

Mr. K. Achyuta Menon.—You are missing my point. I am coming to that. Both the Government as well as the non-official Members admit that a certain disease has to be treated and attended to. In the shape of this amending Bill the prescription is ready to hand and yet we are told that we need not test the efficacy of the prescription immediately.

This sort of argument does not bear a remote resemblance to logic. What I say is that the existing Regulation is unworkable in practice and what is attempted to be done is to amend it by bringing it into line with the British Indian Act. The only understandable argument, that can possibly be urged, is that the Members have not had sufficient opportunity to study the details connected with this Bill. But is it after all such a valid argument that the consideration of the Bill should be postponed? Are we going to pass it the moment we introduce it here? The first thing that I am now going to do is to propose that it may be referred to a Select Committee consisting mostly of Members who take a deep interest in the movement. The Hon'ble Members will have ample time to consider the various provisions and amend them if necessary. There is yet another stage when the Bill comes for discussion with the report of the Select Committee and it is

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after a debate that the Bill will be passed into law. When such further opportunities to consider the Bill detail after detail, section by section, and for criticising, dissecting, and analysing it are available, why should Hon'ble Members fight shy of referring the Bill to a Select Committee? This, to my humble mind, passes all comprehension. I think there is something behind all these which is not easily apparent.

Mr. A. Sankara Menon.—Sir, I have only just one word to say. If the arguments of the Hon'ble the Law Member are accepted with regard to every introduction of an amending Bill, it must be passed as a matter of course, and the time for discussion will be when the Select Committee presents its report. If that proposition is accepted by this House, I have nothing to say. Otherwise if it is once conceded that the Hon'ble Members had not sufficient time to read the Bill to understand what it provides for and whether the principles of the Bill have to be opposed, I submit that every Hon'ble Member ought to vote for my motion.

Motion put and carried.

Dr. A. R. Menon.—A poll, Sir.

The House divided—Ayes 16 and Noes 16.

The House being equally divided, the Deputy President gave his Casting Vote for the motion.

Ayes.

1	Mr. K. Ayyappan	9	„ P. Krishna Menon
2	„ M. A. Chakko	10	„ K. T. Mathew
3	„ A. Eachara Menon	11	„ C. A. Ouseph
4	Dr. A. G. Menon	12	„ Paul Mampilli
5	„ E. Ikkanda Warriar	13	„ M. K. Raman
6	Mr. K. M. Ibrahim	14	Mr. A. Sankara Menon
7	„ Joseph Pettah	15	Mr. K. P. Vallon
8	„ P. S. Kesavan Nambudiri	16	„ P. C. Varkey

(17 Casting vote of the President).

Noes.

1	Mr. V. K. Aravindksha Menon	9	„ C. J. Mathew
2	Mr. K. Achyuta Menon	10	„ T. Narayana Menon
3	„ M. P. Cherian	11	„ I. N. Menon
4	„ R. A. Gayatrinatha Ayyar	12	Dr. D. Raghavendra Rao
5	„ C. N. Ittiravi Nambudiri	13	Mr. P. V. Raphael
6	„ U. Kandar Menon	14	Rama Varmha Tampuran
7	„ M. Krishna Menon	15	Dr. A. R. Menon
8	„ P. Kumaran Ezhuthassan	16	Mr. P. V. Subramania Ayyar

The House rose for the day at 4-58 p. m.

C. J. MATHEW,

Secretary to the Council.